FORM PTO-1083

In RE application of

Group Art Unit:

Case Docket No. NIP-208

Serial No.: 09/674,008

3737

Filed: October 24, 2000

Examiner:

PATENT

Ruth S. SMITH

For: OPTICAL MEASUREMENT INSTRUMENT AND

OPTICAL MEASUREMENT METHOD

Assistant Commissioner for Patents

Washington, D.C. 20231

Sir:

Transmitted herewith is an Amendment in the above-identfied application.

Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.

A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

No additional fee is required.

The fee has been calculated as shown below:

(COL. 1)				(C	(COL. 2)		(COL. 3)	
	1	Claims Remaining After Amendment		Hiç Pre P	ghest No. eviously aid For	ı	Present Extra	
Total	•	13	Minus	••	20	=	0	
Indep.	٠	6	Minus	***	8	=	0	
C			Autolote De		Claire			

First Presentation of Multiple Dependent Claims

SMALL ENTITY

Rate	Additional Fee
× 9	\$
× 42	\$
+ 140	\$

Total

OR

OTHER THAN A SMALL ENTITY

		Rate	Additional Fee	
	×	18	\$	0
	×	84	\$	0
ı	+	280	\$	0
		Total	\$	0

If the entry in Col. 1 is less than the entry in Col. 2, write '0' in Col. 3.

If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 20, write '20' in this space.

If the 'Highest Number Previously Paid For' IN THIS SPACE is less than 3, write '3' in this space.

The 'Highest Number Previously Paid For' (Total or Independent) is the highest number found from the equivalent box in Col. 1 of a prior Amendment or the number of claims originally filed.

Please charge my Deposit Account No. 50-1417 in the amount of	\$

0.00 is attached in payment of: A check in the amount of \$

The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-1417.

Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

Any patent application processing fees under 37 CFR 1.17.

Any Extension of Time fees that are necessary, which are hereby requested if necessary.

MATTINGLY, STANGER & MALUR, P.C. 1800 Diagonal Rd., Suite 370 Alexandria, Virginia 22314 (703) 684-1120

Date: March 2, 2005

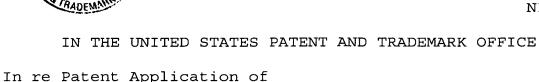
Daniel J. Stakger

Registration No.

32,846

Attorney for Applicant(s)





A. MAKI et al

Serial No. 09/674,008

Group Art Unit: 3737

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For: OPTICAL MEASUREMENT INSTRUMENT AND

OPTICAL MEASUREMENT METHOD

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner of Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 March 2, 2005

Sir:

In response to the Restriction Requirement dated February 2, 2005, Applicants elect to prosecute the invention defined by the Examiner as Group III, including claims 3-14, and 16. This election is made without traverse.

Respectfully submitted,

Daniel J. Stanger Registration No. Attorney for Applicants

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C. 1800 Diagonal Road, Suite 370 Alexandria, Virginia 22314 (703) 684-1120 Date: March 2, 2005